

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application. Further, the Applicant thanks the Examiner for the courtesies extended during the telephone interview dated May 21, 2003. While no agreement was reached with respect to claim 1 of the instant application with regards to U.S. Patent No. 6,070,868 (hereinafter "Nagato"), the Examiner acknowledged that Nagato does not disclose a shaft perpendicular to a mounting surface. Further, the Examiner pointed out that both elements 21 and 25 of Nagato are considered a sheet tray body. Favorable reconsideration of this application is respectfully requested in view of the following remarks.

At the outset, Applicant thanks the Examiner for acknowledging receipt of the priority documents. Also, Applicant thanks the Examiner for noting that listing references in the specification is not a proper IDS submission.

Disposition of Claims

Claims 1-5 are pending in this application. Claims 6-12 have been added. No new matter has been added by way of the new claims 6-12. Claims 1, 4, and 5 are independent. The remaining claims depend, directly or indirectly, from claims 1, 4, and 5.

Objection(s)

The title is objected to for not being clearly indicative of the invention. The title

has been amended in this reply in accordance with the Examiner's suggestion. Thus, this objection is now moot. Accordingly, withdrawal of this objection is respectfully requested.

Rejection(s) under 35 U.S.C § 112

Claims 1-5 stand rejected under 35 U.S.C. § 112 as indefinite. Claims 1, 4, and 5 have been amended in this reply to clarify the present invention recited. Specifically, "step-like part" has been amended to "stepped portion." Thus, this rejection is now moot. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 102

Claims 1-5 stand rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,070,868 ("Nagato"). Claims 1, 4, and 5 have been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

Amended claims 1, 4, and 5 recite a sheet tray body disposed so as to rotate around a shaft that is provided nearly *perpendicular* to a sheet mounting surface. Further, a stepped portion is provided *in the sheet tray body*. Also, a thrusting member *frontwardly* pushes the sheet tray body when the sheet tray is used.

As can be seen in the instant application, Figure 2 shows a side view of Figure 1, and Figure 3 shows a back view of Figure 1. Figure 4 shows a closer view of a stepped portion (10a), which is also shown in Figure 2. Figure 5 shows the sheet tray (10) when not in use (closed).

Referring to the figures, the sheet tray (10) rotates about a shaft (12) that is nearly *perpendicular* to a sheet mounting surface (10b). Further, the sheet tray (10) includes a *stepped portion* (10a), as seen in Figure 4. A stepped portion (10a) is clearly shown as a stair step shape integral to the sheet tray (10). Further, when the sheet tray body is in use, the sheet tray body and an upper edge part of a sheet mounting portion of said sheet feeder body are connected to each other. Also, the thrusting member (12), as shown in Figure 2, *frontwardly* pushes the sheet tray (10) when the sheet tray is used.

In contrast, Figure 1 of Nagato discloses a pin (21d) that is disposed in a direction *parallel* to the document tray (20). The pin (21d) is not disposed *perpendicular* to a sheet mounting surface. Further, Figure 6(a) of Nagato discloses protrusions (21e) that are not a stepped portion. The protrusions (21e) are appropriately called “protrusions” and described as such as they do not have a stair step shape. Also, the protrusions (21e) are *not* provided in the sheet tray body such that the sheet tray body rotates (*i.e.*, is movable). The protrusions (21e) are part of a *non-movable* main tray (21). Also, in Figure 6(a) of Nagato, the rib (29) pushes an auxiliary tray (25) counter to an axial rotation. The rib (29) of Nagato does not *frontwardly* push the auxiliary tray (25). The rib (29) of Nagato *frontwardly* pushes the *non-movable* main tray (21), which is in contrast to the amended claim 1 of the instant application.

In view of the above, Nagato fails to show or suggest the present invention as recited in the claims 1, 4, and 5 as amended. Thus, the claims 1, 4, and 5 as amended are patentable over Nagato. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 103

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,975,520 ("Shim") in view of Nagato. Claims 1, 4, and 5 have been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As noted above, Nagato fails to disclose or suggest the present invention as recited in amended claims 1, 4, and 5. Shim fails to provide that which Nagato lacks.

Shim discloses an expandable cassette for use with feeding a sheet into a communication machinery. Shim fails to disclose the thrusting member of the present invention. Particularly, as shown in Figure 3A of Shim, the second tray (20) is disposed only to be rotatable around the shaft (12), and is *not* disposed in a manner to be movable along the axis of the shaft (12). Further, the stepped part disclosed in Figure 3 of Shim includes a plurality of trays. Shim does not disclose a stepped portion provided *in* a sheet tray body.

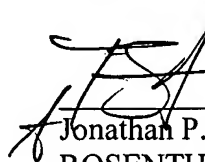
In view of the above, Shim and Nagato, whether considered separately or in combination, fail to show or suggest the present invention as recited in amended claims 1, 4, and 5. Thus, the amended claims 1, 4, and 5 are patentable over Shim and Nagato. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995.039001).

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Respectfully submitted,

 #45,079
Jonathan P. Osha, Reg. No. 33,986
ROSENTHAL & OSHA L.L.P.
1221 McKinney Street, Suite 2800
Houston, TX 77010

Telephone: (713) 228-8600

Facsimile: (713) 228-8778

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